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Practitioner's Docket No. 115699.00073

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Forbes
Application No.: 10/801,124
Filed: March 15, 2004
For: DROPPED DECK CENTER BEAM RAIL ROAD CAR
Group No.: 3617
Examiner: Unknown
Date: July 27, 2004

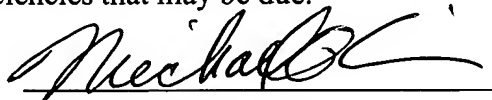
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
BEFORE MAILING OF FIRST OFFICE ACTION (37 C.F.R. section 1.97(b))
IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed before the mailing date of a first Office action on the merits. 37 C.F.R. section 1.97(b).

Please charge account 15-0450 for any deficiencies that may be due.

Date: 27 July 2004


Signature of Practitioner

Reg. No.: 31,985
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Michael H. Minns
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CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. section 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 27 July 2004


Signature

Michael H. Minns
(type or print name of person certifying)



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INFORMATION DISCLOSURE STATEMENT
Under 37 CFR § 1.97(b)

This Information Disclosure Statement is filed within three months after the filing date of this application or before the mailing of an Office Action on the merits, whichever event occurs last, and therefore is considered timely under 37 CFR § 1.97(b).

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR §1.56(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13, at 25.

This Information Disclosure Statement is made to comply with the duty of candor imposed on all individuals associated with the filing or prosecution of this application, as defined by 37 CFR §1.56(c).

A list of the four (4) foreign patents and thirty (30) non-patent documents cited by the applicant are enclosed on one sheet of Form PTO/SB/08A and three sheets of Form PTO/SB/08B which are attached and made a part hereof. Copies of cited references are enclosed.

This Information Disclosure Statement is based on information contained in the undersigned attorney file as of the date of this statement and is inclusive of the best information known to the undersigned at that date.

The Examiner is kindly requested to consider the Information Disclosure Statement in addition to any references identified by the Examiner as a result of his independent search and examination.

Respectfully submitted,

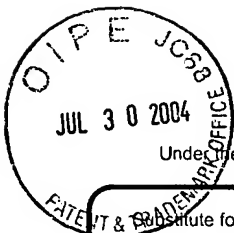
HAHN LOESER & PARKS LLP

A handwritten signature in black ink, appearing to read "Michael H. Mims", with a long horizontal flourish extending to the right.

Michael H. Mims
Registration 31,985

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Attorney Docket: 115699.00073



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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/801,124
				Filing Date	03/15/2004
				First Named Inventor	James Forbes
				Art Unit	3617
				Examiner Name	
Sheet	1	of	3	Attorney Docket Number	115699.00073

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 14th ed., Simmons-Boardman Publishing Corporation, New York, NY, 1937, pp. 209-214.	
	2	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 18th ed., Simmons-Boardman Publishing Corporation, New York, NY, 1949-51, pp. 155.	
	3	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 19th ed., Simmons-Boardman Publishing Corporation, New York, NY, 1953, pp. 284-285.	
	4	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., January 5, 1959, p. 19.	
	5	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 21st ed., Simmons-Boardman Publishing Corporation, New York, NY, 1961, pp. 168-172.	
	6	CAR BUILDERS' CYCLOPEDIA OF AMERICAN PRACTICE, 21st ed., Simmons-Boardman Publishing Corporation, New York, NY, 1961, pp. 447-448.	
	7	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., 1965, pp. 22-23.	
	8	BLODGETT, OMER W., "Rigid-Frame Knees (Elastic Design)" in Design of Welded Structures, James F. Lincoln Arc Welding Foundation, June 1966, pp. 5.11-1 to 5.11-20.	
	9	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., March 20, 1967, p. 15.	
	10	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., December 18, 1967, p. 58.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/801,124
				Filing Date	03/15/2004
				First Named Inventor	James Forbes
				Art Unit	3617
				Examiner Name	
Sheet	2	of	3	Attorney Docket Number	115699.00073

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	11	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., February 19, 1968. "RSP Carbuilding Shop Adds Rapair Facility", 1 page.	
	12	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., April 28, 1969. "Meet the Convertibles!", 1 page.	
	13	CAR AND LOCOMOTICE CYCLOPEDIA OF AMERICAN PRACTICE, 2nd ed., Simmons-Boardman Publishing Corporation, New York, NY, 1970, p. 126.	
	14	CAR AND LOCOMOTICE CYCLOPEDIA OF AMERICAN PRACTICE, 2nd ed., Simmons-Boardman Publishing Corporation, New York, NY, 1970, pp. 287 + 289.	
	15	CAR AND LOCOMOTICE CYCLOPEDIA OF AMERICAN PRACTICE, 3rd ed., Simmons-Boardman Publishing Corporation, New York, NY, 1974, pp. S3-165 + S3-173 to S3-176.	
	16	CAR AND LOCOMOTICE CYCLOPEDIA OF AMERICAN PRACTICE, 3rd ed., Simmons-Boardman Publishing Corporation, Omaha, Nebraska, copyright 1980, pp. 73 + 76.	
	17	THE CAR AND LOCOMOTICE CYCLOPEDIA OF AMERICAN PRACTICE, 4th ed., Simmons-Boardman Publishing Corporation, Omaha, Nebraska, copyright 1980, pp. 242, 243 + 256.	
	18	THE CAR AND LOCOMOTICE CYCLOPEDIA OF AMERICAN PRACTICE, 5th ed., Simmons-Boardman Publishing Corporation, Omaha, Nebraska, copyright 1984, p. 169.	
	19	Various photographs showing a dropped deck center beam car bearing model no. THRX 3001 manufactured by Thrall (date and location unknown).	
	20	Photographs showing a flatcar bearing model no. BCOL 866688 (date and location unknown).	

Examiner Signature		Date Considered	
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	21	Various photographs showing a center beam car bearing model no. BNSF 564124 (date and location unknown).	
	22	Illustration showing a model of a car built for Pulpwood Service in 1963.	
	23	Various photographs taken on September 19, 2000, Chicago, Illinois, USA, showing a dropped deck center beam car bearing model no. THRX 3001 manufactured by Thrall.	
	24	Various photographs taken on September 27, 2000, Campbellville, Ontario, Canada, showing a flatcar bearing model no. CN 602376.	
	25	Various photographs taken on September 27, 2000, Milton, Ontario, Canada, showing a flatcar bearing model no. BCOL 52098.	
	26	RAILWAY AGE WEEKLY, Simmons-Boardman Publishing Corporation, Boston, Conn., July 29, 1968, p. 42D.	
	27	Various photographs taken on April 24, 2001 at the Frid Street Yard, Hamilton, Ontario, Canada, showing a dropped deck center beam car bearing model no. GCFX 1002 manufactured by Alstom.	
	28	Various photographs taken on September 4, 2001 at the Frid Street Yard, Hamilton, Ontario, Canada, showing a dropped deck center beam car bearing model no. GBRX 20003 manufactured by Gunderson.	
	29	Various photographs taken on October 31, 2001 at the Frid Street Yard, Hamilton, Ontario, Canada, showing a dropped deck center beam car bearing model no. GBRX 20003 manufactured by Gunderson.	
	30	Various photographs taken on May 17, 2001 at the Savage Reload Facility, Chicago, Illinois, USA, showing a dropped deck center beam car bearing model no. GBRX 20003 manufactured by Gunderson.	

Examiner Signature		Date Considered	
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